

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. Chairman Johnson invited the public to address the Commission. Chairman Johnson also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published October 23, 2007 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held October 30, 2007 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, October 30, 2007:

- 1:30 Commission Hearing Room, Lincoln.
Commissioner Vap presiding as Hearing Officer.
- FC-1327 In the Matter of the Formal Complaint of the Nebraska Public Advocate seeking a determination that Kinder Morgan, Inc. and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in NG-0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC.
- NG-0047/ In the Matter of the Petition of the Nebraska Public
DR-0002 Advocate for a Declaratory Ruling seeking a determination that Kinder Morgan, Inc., n/k/a SourceGas Distribution LLC, improperly implemented interim and final rates in Docket NG-0036 for which customers are entitled to a credit or refund.

Monday, November 5, 2007:

- NG-0007.3 Commission Hearing Room, Lincoln.
1:30 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking to lower current interim delivery charge to reflect the level of revenue deficiency currently under appeal in the Lancaster County District Court.
Commissioner Landis presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3429 In the Matter of Sprint Communications Company L.P.
(Sprint), Overland Park, Kansas, seeking arbitration under the Telecommunications Act of certain issues associated with the proposed interconnection agreement between Sprint and Southeast Nebraska Telephone Company. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order on remand. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3860 In the Matter of McLeod USA Telecommunications Services, Inc., Hiawatha, Iowa, seeking to cease providing residential services in certain Qwest wire centers: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

In the Matter of Level 3 Communications, LLC Nebraska PSC Tariff No. 2: Gene Hand informed the Commission that AT&T filed a letter on October 24, 2007, asking the Commission to further review the Level 3 Communications, LLC Nebraska PSC Tariff No. 2 August 27, 2007, filing. This is the same tariff Windstream sought suspension of on September 7, 2007. An 11-page document prepared by Level 3 providing further information regarding recent originating and transit tariff filings was provided to the Commissioners.

C-3863 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of their interconnection agreement pursuant to 47 USC Section 252(i) with Charter Fiberlink-Nebraska, LLC, St. Louis, Missouri: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-023.26 In the Matter of Antelope County, Public Safety Answering Point, Neligh, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order amending the previous order of April 10, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-023.36 In the Matter of the City of Lincoln/Lancaster County, Public Safety Answering Point, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation. Commissioner Landis presiding as Hearing Officer: Jeff Pursley discussed the Hearing Officer's order entered October 29, 2007, scheduling a hearing for November 27, 2007 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NATURAL GAS DEPARTMENT

NG-0007.3 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking to lower current interim Delivery Charge to reflect the level of revenue deficiency currently under appeal in the Lancaster County District Court. Commissioner Landis presiding as Hearing Officer: Laura Demman informed the Commission that a Hearing Officer's order was entered October 25, 2007, scheduling a hearing for November 5, 2007, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking individual general rate increases for Aquila's Rate Area One, Rate Area Two and Rate Area Three. Commissioner Landis presiding as Hearing Officer: Laura Demman informed the Commission that a Hearing Officer's order was entered October 25, 2007, scheduling a hearing on the Objection to Assessment for December 11, 2007, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NG-0051/ In the Matter of the Commission, on its own motion, seeking
PI-130 to investigate jurisdictional issues pertaining to construction and operation of a natural gas pipeline within the state of Nebraska by Nebraska Resources Company, LLC, or any other entity. Commissioner Johnson presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order addressing questions presented in the investigation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking
Regulation to amend Title 291, Chapter 12, Manufactured Housing Rules
#162 and Regulations, previously written under Title 178, Chapter 16, through Health and Human Services and to create an Ad Hoc Committee; correct technical errors, grammar, punctuation, spelling, sequential numbering and the like; and to reprint the chapter in its entirety: Mark Breiner informed the Commission that the final rules were approved by the Attorney General and forwarded to the Governor and Secretary of State for signature.

TRANSPORTATION DEPARTMENT

B-1621 In the Matter of Phoenix Counseling, Inc., d/b/a Phoenix Transportation Services, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in open class service by van between points in Douglas, Cass, Sarpy and Washington counties over irregular routes. Health and Human Services Designation: Yes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order denying the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1654 In the Matter of Classic Touch, Inc., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage in open class service by vans between points in Douglas, Sarpy, Cass and Washington counties, on the one hand, and, on the other hand, points between said counties over irregular routes. Health and Human Services Designation: Yes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order dismissing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1699 In the Matter of County Cook, d/b/a Confidential Transportation, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage in open class service by van between points in Douglas County and Sarpy County, and between points in said counties over irregular routes. Health and Human Services Designation: Yes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Commissioner Boyle presiding as Hearing Officer.: Upon agreement of all Commissioners, the hearing previously scheduled for October 11, 2007, was continued to December 12, 2007, at 9:30 a.m. in the Commission Hearing Room, Lincoln, and the Nebraska State Office Building, Room 207, 1313 Farnam Street, Omaha.

MCC-3160 In the Matter of Mark Breiner, Director, Motor Transportation Department, vs. Mike's Moving, Omaha: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order sustaining the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

M-14185 In the Matter of Classic Touch, Inc., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods by truck between points within Douglas, Cass, Sarpy and Washington counties, on the one hand, and points between said counties on the other hand: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order dismissing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MR-230 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F: The fuel surcharge was increased to 84 cents per mile.

GENERAL ADMINISTRATION

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation for approval of the following Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis voting NAY.

Cornhusker State Industries	\$	590.00
Cornhusker State Industries		539.00
Central Finance-Communications Billing		3,466.01
Central Finance-Copy Services		2,895.00
Central Finance-Office Supplies		1,247.06
Larry Fauss		1,050.00
Nichole Underhill		1,167.26
Gerald Vap		911.84

The meeting adjourned at 10:20 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on November 6, 2007, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on November 5, 2007.

Chairman

Executive Director